

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:16-cv-00635-CRC**

GELLMAN v. DEPARTMENT OF HOMELAND SECURITY  
et al  
Assigned to: Judge Christopher R. Cooper  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/04/2016  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**BARTON GELLMAN**

represented by **Adam Alexander Marshall**  
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V.

**Defendant**

**DEPARTMENT OF HOMELAND  
SECURITY**

represented by **Brian J. Field**  
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**Defendant**

**DEPARTMENT OF JUSTICE**

represented by

**Brian J. Field**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Claire M. Whitaker**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**OFFICE OF THE DIRECTOR OF  
NATIONAL INTELLIGENCE**

represented by **Brian J. Field**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Claire M. Whitaker**  
(See above for address)  
*LEAD ATTORNEY*  
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Date Filed	#	Docket Text
04/04/2016	<u>1</u>	COMPLAINT against All Defendants ( Filing fee \$ 400 receipt number 0090-4471461) filed by BARTON GELLMAN. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Civil Cover Sheet, # <u>11</u> Summons to U.S. Attorney General, # <u>12</u> Summons to Department of Homeland Security, # <u>13</u> Summons to Department of Justice, # <u>14</u> Summons to Office of the Director of National Intelligence, # <u>15</u> Summons to U.S. Attorney)(Townsend, KatieLynn) (Entered: 04/04/2016)
04/04/2016		Case Assigned to Judge Christopher R. Cooper. (jd) (Entered: 04/05/2016)
04/05/2016	<u>2</u>	SUMMONS (5) Issued Electronically as to DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Forms)(jd) (Entered: 04/05/2016)
04/15/2016	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/11/2016. (Townsend, KatieLynn) (Entered: 04/15/2016)
04/15/2016	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/11/2016. Answer due for ALL FEDERAL DEFENDANTS by 5/11/2016. (Townsend, KatieLynn) (Entered: 04/15/2016)
04/15/2016	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF HOMELAND SECURITY served on 4/8/2016 (Townsend, KatieLynn) (Entered: 04/15/2016)
04/15/2016	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF JUSTICE served on 4/11/2016 (Townsend, KatieLynn) (Entered: 04/15/2016)
04/15/2016	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE served on 4/11/2016 (Townsend, KatieLynn) (Entered: 04/15/2016)
04/22/2016	<u>8</u>	NOTICE of Appearance by Claire M. Whitaker on behalf of DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Whitaker, Claire) (Entered: 04/22/2016)

05/09/2016	<u>9</u>	Consent MOTION for Extension of Time to File Answer ( <i>to June 10, 2016</i> ) by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Attachments: # <u>1</u> Text of Proposed Order)(Whitaker, Claire) (Entered: 05/09/2016)
05/10/2016	<u>10</u>	NOTICE of Appearance by Brian J. Field on behalf of All Defendants (Field, Brian) (Entered: 05/10/2016)
05/11/2016		MINUTE ORDER granting <u>9</u> Defendants' Consent Motion for Extension of Time to Answer: It is hereby ORDERED that Defendants shall have up to and including June 10, 2016 to file an answer or otherwise respond to the Complaint in this case. Signed by Judge Christopher R. Cooper on 5/11/2016. (lccrc3) (Entered: 05/11/2016)
05/12/2016		Set/Reset Deadlines: Defendants shall have up to and including 6/10/2016 to file an answer or otherwise respond to the Complaint. (kt) (Entered: 05/12/2016)
06/09/2016	<u>11</u>	Joint MOTION for Scheduling Order by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Attachments: # <u>1</u> Text of Proposed Order)(Field, Brian) (Entered: 06/09/2016)
06/09/2016	<u>12</u>	ORDER granting <u>11</u> Joint Motion for Scheduling Order. Signed by Judge Christopher R. Cooper on 6/9/2016. (lccrc3) (Entered: 06/09/2016)
06/21/2016	<u>13</u>	NOTICE of Appearance by Adam Alexander Marshall on behalf of BARTON GELLMAN (Marshall, Adam) (Entered: 06/21/2016)
09/21/2016	<u>14</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 09/21/2016)
11/21/2016	<u>15</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 11/21/2016)
01/23/2017	<u>16</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 01/23/2017)
03/22/2017	<u>17</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 03/22/2017)
05/22/2017	<u>18</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 05/22/2017)
07/24/2017	<u>19</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 07/24/2017)
09/22/2017	<u>20</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 09/22/2017)
11/21/2017	<u>21</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 11/21/2017)
01/19/2018	<u>22</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 01/19/2018)
03/20/2018	<u>23</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 03/20/2018)
05/16/2018	<u>24</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 05/16/2018)

05/17/2018	<u>25</u>	ORDER directing the parties to file a joint status report by June 4, 2018. See full Order for details. Signed by Judge Christopher R. Cooper on 5/17/2018. (lccrc3) (Entered: 05/17/2018)
05/17/2018		Set/Reset Deadlines: Joint Status Report due by 6/4/2018 (lsj) (Entered: 05/17/2018)
06/04/2018	<u>26</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 06/04/2018)
06/07/2018	<u>27</u>	ORDER re next status report and briefing schedule. Signed by Judge Christopher R. Cooper on 6/7/2018. (lccrc3) (Entered: 06/07/2018)
06/08/2018		Set/Reset Deadlines: Joint Status Report due by 6/29/2018 (lsj) (Entered: 06/08/2018)
06/29/2018	<u>28</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Field, Brian) (Entered: 06/29/2018)
07/26/2018	<u>29</u>	VACATED PURSUANT TO MINUTE ORDER ENTERED 9/11/2018.....Order setting summary judgment briefing schedule. See full Order for details. Signed by Judge Christopher R. Cooper on 7/26/2018. (lccrc3) Modified on 9/12/2018 (zlsj). (Entered: 07/26/2018)
07/26/2018		Set/Reset Deadlines: Summary Judgment motions due by 9/21/2018. Response to Motion for Summary Judgment due by 10/23/2018. Reply to Motion for Summary Judgment due by 12/7/2018. Plaintiff's Replies due by 12/21/2018. (lsj) (Entered: 07/26/2018)
09/11/2018	<u>30</u>	Consent MOTION for Briefing Schedule <i>Modification</i> by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) (Entered: 09/11/2018)
09/11/2018		VACATED PURSUANT TO MINUTE ORDER ENTERED 10/17/2018.....MINUTE ORDER granting <u>30</u> Defendants' Motion to Modify Briefing Schedule and vacating the briefing schedule entered on 7/26/2018. The parties shall adhere to the briefing schedule as follows: Defendants' motion for summary judgment shall be due by October 23, 2018; Plaintiff's opposition and cross-motion for summary judgment shall be due by November 30, 2018; Defendants' reply and opposition shall be due by January 7, 2019; Plaintiff's reply shall be due by January 25, 2019. Signed by Judge Christopher R. Cooper on 09/11/2018. (lccrc3) Modified on 10/17/2018 (zlsj). (Entered: 09/11/2018)
09/12/2018		Set/Reset Deadlines: Summary Judgment motions due by 10/23/2018. Response to Motion for Summary Judgment due by 11/30/2018. Reply to Motion for Summary Judgment due by 1/7/2019. Replies due by 1/25/2019. (lsj) (Entered: 09/12/2018)
10/05/2018	<u>31</u>	NOTICE of Change of Address by KatieLynn Boyd Townsend (Townsend, KatieLynn) (Entered: 10/05/2018)
10/16/2018	<u>32</u>	Consent MOTION to Modify <i>Briefing Schedule by One Week</i> by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) (Entered: 10/16/2018)
10/17/2018		VACATED PURSUANT TO MINUTE ORDER ENTERED 10/29/2018.....MINUTE ORDER granting Defendants' <u>32</u> Motion to Modify Briefing Schedule and vacating the briefing schedule entered on 9/11/2018. The parties shall adhere to a briefing schedule as follows: Defendants shall file their motion for summary judgment on or before October 30, 2018; Plaintiff shall file his opposition and cross-motion for summary judgment on or before December 7, 2018; Defendants shall file their reply and opposition on or before January 14, 2019; Plaintiff shall file his reply on or before February 1, 2019. Signed by Judge Christopher R. Cooper on 10/17/2018. (lccrc3) Modified on 10/30/2018 (zlsj). (Entered: 10/17/2018)
10/17/2018		Set/Reset Deadlines: Summary Judgment motions due by 10/30/2018. Response to Motion for Summary Judgment due by 12/7/2018. Reply to Motion for Summary Judgment due by 1/14/2019. Plaintiff's Reply due by 2/1/2019. (lsj) (Entered: 10/17/2018)

10/25/2018	<u>33</u>	Consent MOTION to Modify Briefing Schedule by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) Modified on 10/26/2018 to correct docket event (jf). (Entered: 10/25/2018)
10/29/2018		VACATED PURSUANT TO MINUTE ORDER ENTERED 11/29/18.....MINUTE ORDER granting <u>33</u> Motion to Modify Briefing Schedule and vacating the schedule entered on 10/17/2018. The parties shall adhere to a briefing schedule as follows: Defendants shall file their motion for summary judgment on or before November 30, 2018; Plaintiff shall file his opposition and cross-motion for summary judgment on or before January 7, 2019; Defendants shall file their reply and opposition on or before February 14, 2019; Plaintiff shall file his reply on or before March 1, 2019. Signed by Judge Christopher R. Cooper on 10/29/2018. (lccrc3) Modified on 11/30/2018 (zlsj). (Entered: 10/29/2018)
10/30/2018		Set/Reset Deadlines: Summary Judgment motions due by 10/30/2018. Response to Motion for Summary Judgment due by 1/7/2019. Reply to Motion for Summary Judgment due by 2/14/2019. Plaintiff's Reply due by 3/1/2019. (lsj) (Entered: 10/30/2018)
11/28/2018	<u>34</u>	Consent MOTION to Modify Briefing Schedule <i>Modification</i> by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) Modified event on 11/29/2018 (ztd). (Entered: 11/28/2018)
11/29/2018		MINUTE ORDER granting <u>34</u> Defendants' Motion to Modify Briefing Schedule and vacating the briefing schedule entered on 10/29/2018. The parties shall adhere to the following briefing schedule: Defendants shall file their motion for summary judgment on or before January 30, 2019; Plaintiff shall file his opposition and cross-motion for summary judgment on or before March 7, 2019; Defendants shall file their reply and opposition on or before April 15, 2019; Plaintiff shall file his reply on or before May 3, 2019. Signed by Judge Christopher R. Cooper on 11/29/2018. (lccrc3) (Entered: 11/29/2018)
11/30/2018		Set/Reset Deadlines: Summary Judgment motions due by 1/30/2019. Response to Motion for Summary Judgment due by 3/7/2019. Reply to Motion for Summary Judgment due by 4/15/2019. Replies due by 5/3/2019. (lsj) (Entered: 11/30/2018)
01/29/2019	<u>35</u>	Unopposed MOTION for Briefing Schedule <i>Modification</i> by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) (Entered: 01/29/2019)
01/30/2019		VACATED PURSUANT TO MINUTE ORDER ENTERED 4/2/19.....MINUTE ORDER granting <u>35</u> Motion for Briefing Schedule Modification and vacating the schedule entered on November 29, 2018. The parties shall adhere to the following briefing schedule: Defendants shall file their motion for summary judgment on or before April 1, 2019; Plaintiff shall file his opposition and cross-motion for summary judgment on or before May 14, 2019; Defendants shall file their reply and opposition on or before June 14, 2019; Plaintiff shall file his reply on or before July 15, 2019. Signed by Judge Christopher R. Cooper on 01/30/2019. (lccrc3) Modified on 4/2/2019 (zlsj). (Entered: 01/30/2019)
01/30/2019		Set/Reset Deadlines: Summary Judgment motions due by 4/1/2019. Response to Motion for Summary Judgment due by 5/14/2019. Reply to Motion for Summary Judgment due by 6/14/2019. Replies due by 7/15/2019. (znbn) (Entered: 01/30/2019)
04/01/2019	<u>36</u>	Consent MOTION to Modify <i>Briefing Schedule</i> by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) (Entered: 04/01/2019)
04/02/2019		MINUTE ORDER granting <u>36</u> Motion for Briefing Schedule Modification and vacating the schedule entered on January 30, 2019. The parties shall adhere to the following briefing schedule: Defendants shall file their motion for summary judgment on or before April 3, 2019; Plaintiff shall file his opposition and cross-motion for summary judgment on or before May 16, 2019; Defendants shall file their reply and opposition on or before June 17, 2019; Plaintiff shall file his reply on or before July 17, 2019. Signed by Judge Christopher R. Cooper on 04/02/2019. (lccrc3) (Entered: 04/02/2019)

04/02/2019		Set/Reset Deadlines: Summary Judgment motions due by 4/3/2019. Response to Motion for Summary Judgment due by 5/16/2019. Reply to Motion for Summary Judgment due by 6/17/2019.Replies due by 7/17/2019. (lsj) (Entered: 04/02/2019)
04/03/2019	<u>37</u>	MOTION for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit Ex. A (Holzer Decl.), # <u>4</u> Exhibit Ex. B (Hardy Decl.), # <u>5</u> Exhibit Ex. C (Brinkmann Decl.), # <u>6</u> Exhibit Ex. D (Findlay Decl.), # <u>7</u> Exhibit Ex. E (Gaviria Decl.), # <u>8</u> Exhibit Ex. F (Henry Decl.), # <u>9</u> Exhibit Ex. G (Miller Decl.), # <u>10</u> Exhibit Ex. H (Brodfehrer Decl.), # <u>11</u> Exhibit Ex. I (Kiyosaki Decl.), # <u>12</u> Exhibit Ex. J (Howard Decl.), # <u>13</u> Text of Proposed Order)(Field, Brian) (Entered: 04/03/2019)
04/03/2019	<u>38</u>	MOTION for Leave to File <i>Declarations Under Seal and Ex Parte, In Camera</i> by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) (Entered: 04/03/2019)
04/04/2019		MINUTE ORDER granting <u>38</u> Motion for Leave to File Declarations Under Seal and <i>Ex Parte, In Camera</i> . The Court will reserve judgment on Plaintiff's request for public filing of redacted versions of the declarations until it has reviewed them and, if necessary, received briefing on the request. Signed by Judge Christopher R. Cooper on 04/04/2019. (lccrc3) (Entered: 04/04/2019)
04/08/2019		MINUTE ORDER: The Court has reviewed the <i>ex parte, in camera</i> , classified declarations submitted in support of Defendants' Motion for Summary Judgment. See ECF No. 38 and April 4, 2019 Minute Order. The D.C. Circuit has instructed that a court considering <i>in camera</i> declarations "should be certain to make the public record as complete as possible." <i>Lykins v. United States Dep't of Justice</i> , 725 F.2d 1455, 1465 (D.C. Cir. 1984). Upon review, the Court hereby ORDERS Defendants to file on the public docket a redacted, unclassified version of the declaration provided <i>in camera</i> by the Federal Bureau of Investigation. Defendants need not file a redacted version of the declaration provided <i>in camera</i> by the Office of the Director of National Intelligence. Signed by Judge Christopher R. Cooper on 04/08/2019. (lccrc3) (Entered: 04/08/2019)
05/02/2019	<u>39</u>	NOTICE by DEPARTMENT OF JUSTICE re Order,,, (Attachments: # <u>1</u> Declaration Redacted Decl. of D. Hardy)(Field, Brian) (Entered: 05/02/2019)
05/03/2019	<u>40</u>	Consent MOTION to Modify <i>Briefing Schedule on Motions for Summary Judgment</i> by BARTON GELLMAN (Attachments: # <u>1</u> Text of Proposed Order)(Townsend, KatieLynn) (Entered: 05/03/2019)
05/07/2019		MINUTE ORDER granting <u>40</u> Motion to Modify Briefing Schedule and vacating the briefing schedule entered on April 2, 2019. The Plaintiff shall file his opposition to Defendants' motion for summary judgment and cross-motion for summary judgment on or before May 31, 2019; Defendants shall file their reply and opposition on or before July 1, 2019; Plaintiff shall file his reply on or before July 26, 2019. Signed by Judge Christopher R. Cooper on 05/07/2019. (lccrc3) (Entered: 05/07/2019)
05/07/2019		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 5/31/2019. Cross Motions due by 5/31/2019. Reply to Motion for Summary Judgment due by 7/1/2019. Response to Cross Motions due by 7/1/2019. Reply to Cross Motions due by 7/26/2019. (znbn) (Entered: 05/07/2019)
05/31/2019	<u>41</u>	Cross MOTION for Partial Summary Judgment by BARTON GELLMAN (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of Katie Townsend, # <u>4</u> Declaration of Barton Gellman, # <u>5</u> Declaration of Gunita Singh, # <u>6</u> Text of Proposed Order)(Townsend, KatieLynn) (Entered: 05/31/2019)
05/31/2019	<u>42</u>	MOTION for In Camera Review by BARTON GELLMAN (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Townsend, KatieLynn) (Entered: 05/31/2019)
05/31/2019	43	Memorandum in opposition to re <u>37</u> MOTION for Summary Judgment filed by BARTON GELLMAN. (ztd); (See docket entry no. <u>41</u> to view.) (Entered: 06/03/2019)
06/06/2019	<u>44</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>42</u> MOTION for In Camera Review by DEPARTMENT OF HOMELAND SECURITY,

		DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) (Entered: 06/06/2019)
06/06/2019		VACATED PURSUANT MINUTE ORDER ENTERED 6/21/2019.....MINUTE ORDER granting <u>44</u> Motion for Extension of Time to File Response. Defendants shall respond to Plaintiff's <u>42</u> Motion for <i>In Camera</i> Review on or before July 1, 2019. Plaintiff shall reply on or before July 26, 2019. Signed by Judge Christopher R. Cooper on 06/06/2019. (lccrc3) Modified on 6/21/2019 (lsj). (Entered: 06/06/2019)
06/07/2019		Set/Reset Deadlines: Responses due by 7/1/2019 Replies due by 7/26/2019. (lsj) (Entered: 06/07/2019)
06/18/2019	<u>45</u>	Consent MOTION for Extension of Time to File Response/Reply by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) (Entered: 06/18/2019)
06/21/2019		MINUTE ORDER granting <u>45</u> Motion for Extension of Time to File Response/Reply and vacating the briefing schedule entered on May 7, 2019. Defendants shall file their combined reply and opposition to Plaintiff's cross-motion for summary judgment and motion for <i>in camera</i> review on or before July 24, 2019. Plaintiff shall file his reply in support of his cross-motion for summary judgment and reply in support of his motion for <i>in camera</i> review on or before August 16, 2019. Signed by Judge Christopher R. Cooper on 6/21/2019. (lccrc3) (Entered: 06/21/2019)
06/21/2019		MINUTE ORDER: Pursuant to the Minute Order issued earlier today, the briefing schedule entered on June 6, 2019 is hereby VACATED. Signed by Judge Christopher R. Cooper on 06/21/2019. (lccrc3) (Entered: 06/21/2019)
06/21/2019		Set/Reset Deadlines: Reply to Motion for Summary Judgment due by 7/24/2019. Replies due by 8/16/2019. (lsj) (Entered: 06/21/2019)
07/22/2019	<u>46</u>	Consent MOTION for Extension of Time to File Response/Reply by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) (Entered: 07/22/2019)
07/23/2019		MINUTE ORDER granting <u>46</u> Motion for Extension of Time to File Reply and vacating the briefing schedule entered on June 21, 2019. Defendants shall file their combined reply and opposition to Plaintiff's cross-motion for summary judgment and motion for <i>in camera</i> review on or before July 25, 2019. Plaintiff shall file his reply in support of his cross-motion for summary judgment and reply in support of his motion for <i>in camera</i> review on or before August 19, 2019. Signed by Judge Christopher R. Cooper on 07/23/2019. (lccrc3) (Entered: 07/23/2019)
07/24/2019		Set/Reset Deadlines: Reply to Cross Motions due by 7/25/2019. Replies due by 8/19/2019. (lsj) (Entered: 07/24/2019)
07/25/2019	<u>47</u>	REPLY to opposition to motion re <u>37</u> MOTION for Summary Judgment filed by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration 4th Hardy Decl., # <u>3</u> Declaration Tiernan Decl., # <u>4</u> Declaration Supp. Brinkmann Decl.)(Field, Brian) (Entered: 07/25/2019)
07/25/2019	<u>48</u>	Memorandum in opposition to re <u>41</u> Cross MOTION for Partial Summary Judgment , <u>42</u> MOTION for In Camera Review filed by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration 4th Hardy Decl., # <u>3</u> Declaration Tiernan Decl., # <u>4</u> Declaration Supp. Brinkmann Decl., # <u>5</u> Text of Proposed Order)(Field, Brian) (Entered: 07/25/2019)
08/19/2019	<u>49</u>	REPLY to opposition to motion re <u>42</u> MOTION for In Camera Review , <u>41</u> Cross MOTION for Partial Summary Judgment filed by BARTON GELLMAN. (Attachments: # <u>1</u> Supplemental Declaration of Katie Townsend)(Townsend, KatieLynn) (Entered: 08/19/2019)
02/05/2020		MINUTE ORDER: Parties are hereby ORDERED to appear for a hearing on Defendants' <u>37</u> MOTION for Summary Judgment and Plaintiff's <u>41</u> Cross-MOTION for Partial Summary Judgment on Wednesday, February 26, 2020 at 10:00 AM in Courtroom 27A. Signed by Judge Christopher R. Cooper on 02/05/2020. (lccrc3)

		(Entered: 02/05/2020)
02/05/2020		Set/Reset Hearings: Motion Hearing set for 2/26/2020 at 10:00 AM in Courtroom 27A before Judge Christopher R. Cooper. (lsj) (Entered: 02/05/2020)
02/19/2020		MINUTE ORDER: While the Court will not limit the scope of the parties' arguments at the upcoming hearing, they should be prepared to address the following topics in particular: (1) the application of Exemption 4 to third-party press clippings; (2) the application of the deliberative process privilege to emails about responding to the press and emails reacting to news articles; and (3) the definition of "a record" under FOIA. Signed by Judge Christopher R. Cooper on 02/19/2020. (lccrc3) (Entered: 02/19/2020)
02/26/2020		Minute Entry for Motion Hearing held before Judge Christopher R. Cooper on 2/26/2020. Oral arguments submitted on Defendant's Motion <u>37</u> for Summary Judgment and Plaintiff's Cross Motion <u>41</u> for Partial Summary Judgment. Motions taken under advisement; forthcoming Order. (Court Reporter: Lisa Moreira) (lsj) (Entered: 02/26/2020)
03/10/2020	<u>50</u>	NOTICE by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) (Entered: 03/10/2020)
03/20/2020	<u>51</u>	ORDER granting in part/denying in part <u>37</u> Defendants' Motion for Summary Judgment, granting in part/denying in part <u>41</u> Plaintiff's Cross-Motion for Summary Judgment, and denying <u>42</u> Plaintiff's Motion for In Camera Review. See full Order for details. Signed by Judge Christopher R. Cooper on 03/20/2020. (lccrc3) (Entered: 03/20/2020)
03/20/2020	<u>52</u>	MEMORANDUM OPINION re: <u>51</u> Order. Signed by Judge Christopher R. Cooper on 03/20/2020. (lccrc3) (Entered: 03/20/2020)
03/24/2020	<u>53</u>	<p>TRANSCRIPT OF MOTION HEARING before Judge Christopher R. Cooper held on February 26, 2020; Page Numbers: 1–82. Date of Issuance: March 24, 2020. Court Reporter/Transcriber Lisa A. Moreira, RDR, CRR, Telephone number (202) 354–3187, Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 4/14/2020. Redacted Transcript Deadline set for 4/24/2020. Release of Transcript Restriction set for 6/22/2020. (Moreira, Lisa) (Entered: 03/24/2020)</p>
04/21/2020	<u>54</u>	Unopposed MOTION for Extension of Time to <i>file renewed summary judgment motion</i> by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) (Entered: 04/21/2020)
04/21/2020		MINUTE ORDER granting Defendants' <u>54</u> Motion for Extension of Time to File their Renewed Motion for Summary Judgment. It is hereby ORDERED that Defendants' shall file their renewed motion for summary judgment on or before June 4, 2020. Signed by Judge Christopher R. Cooper on 04/21/2020. (lccrc3) (Entered: 04/21/2020)
04/23/2020		Set/Reset Deadlines: Renewed Summary Judgment motions due by 6/4/2020. (lsj) (Entered: 04/23/2020)
05/28/2020	<u>55</u>	Unopposed MOTION for Extension of Time to <i>file renewed summary judgment motion</i> by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF



		JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) Modified on 5/29/2020 (ztd). (Entered: 05/28/2020)
05/29/2020		MINUTE ORDER granting defendants' <u>55</u> Motion for Extension of Time to File its Renewed Motion for Summary Judgment. The parties are hereby ORDERED to adhere to the following briefing schedule:Defendants' renewed motion for summary judgment shall be filed by June 25, 2020;Plaintiff's opposition and cross-motion for summary judgment shall be filed by July 24, 2020;Defendants' opposition and reply shall be filed by August 14, 2020; and Plaintiff's reply shall be filed by August 28, 2020. Signed by Judge Christopher R. Cooper on 05/29/2020. (lccrc3) (Entered: 05/29/2020)
05/29/2020		Set/Reset Deadlines:. Summary Judgment motions due by 6/25/2020. Response to Motion for Summary Judgment due by 7/24/2020. Reply to Motion for Summary Judgment due by 8/14/2020. Replies due by 8/28/2020 (lsj) (Entered: 05/29/2020)
06/24/2020	<u>56</u>	Consent MOTION for Extension of Time to <i>file renewed summary judgment motion</i> by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Field, Brian) Modified on 6/24/2020 (ztd). (Entered: 06/24/2020)
06/25/2020		MINUTE ORDER granting Defendants' <u>56</u> Motion for Extension of Time to File its Renewed Motion for Summary Judgment. It is hereby ORDERED that all briefing deadlines are extended by three business days. Accordingly, the parties shall adhere to the following schedule:Defendants' renewed motion for summary judgment shall be filed by June 30, 2020;Plaintiff's opposition and cross-motion for summary judgment shall be filed by July 29, 2020;Defendants' opposition and reply shall be filed by August 19, 2020; andPlaintiff's reply shall be filed by September 2, 2020. Signed by Judge Christopher R. Cooper on 06/25/2020. (lccrc3) (Entered: 06/25/2020)
06/25/2020		Set/Reset Deadlines: Summary Judgment motions due by 6/30/2020. Response to Motion for Summary Judgment due by 7/29/2020. Reply to Motion for Summary Judgment due by 8/19/2020. Replies due by 9/2/2020. (lsj) (Entered: 06/25/2020)
06/30/2020	<u>57</u>	MOTION for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit A (Koch Decl.), # <u>4</u> Exhibit B (Supp. Kiyosaki Decl.), # <u>5</u> Exhibit C (3d Brinkmann Decl.), # <u>6</u> Exhibit D (Tiernan Decl.))(Field, Brian) (Entered: 06/30/2020)